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raise serious doubts as to the advisability of giving the passenger any other protection than a recovery for the carrier's original neglect of duty. See 2 WYMAN, PUBLIC SERVICE CORPORATIONS, § 889 *et seq.*; 16 HARV. L. REV. 139. But in any event the result in the principal case is unimpeachable. The resistance here was not to the enforcement of a regulation of the carrier, but to the collection of a fare in excess of that allowed by law. It is well settled that in such a case one may recover for being ejected. *Adams v. Union R. Co.*, 21 R. I. 134, 42 Atl. 515.

CONSTITUTIONAL LAW — DUE PROCESS OF LAW — RIGHT TO HEAR ADVERSE EVIDENCE IN HEARING BEFORE ADMINISTRATIVE BOARD. — On an appeal to the English Local Government Board, made under the Housing Acts (53 & 54 Vict., c. 70; 9 Edw. VII., c. 44), from a decision refusing to terminate a closing order against a tenement house, the appellant was heard but was refused access to certain adverse reports which the Board had as evidence against him. The Board was given authority to formulate rules of procedure. *Held*, that the appellant had a proper hearing. *Local Government Board v. Arlidge*, Weekly Notes, No. 30, p. 328 (House of Lords).

For a discussion of this most important decision and its bearing on the question of the procedure in hearings before administrative boards, see NOTES, p. 198.

DISCOVERY — PRIVILEGE — NOTES OF PREVIOUS LEGAL PROCEEDINGS MADE IN ANTICIPATION OF FUTURE LITIGATION. — In anticipation of further litigation, the defendant had had shorthand notes taken of the proceedings against him by the owner of the taxicab with which his automobile had collided. In an action against the same defendant arising out of the same collision, the plaintiff asks discovery and inspection of the notes in the possession of the defendant. *Held*, that discovery will be ordered. *Lambert v. Horne*, 111 L. T. R. 179 (C. A.).

This case is in accord with the great weight of English authority. *Rawstone v. Preston Corporation*, 30 Ch. D. 116; *In re Worswick*, 38 Ch. D. 370; *Nicholl v. Jones*, 2 H. & M. 588; *Ainsworth v. Wilding*, [1900] 2 Ch. D. 315. *Contra*, *Nordon v. Defries*, 8 Q. B. D. 508. There is no American authority directly in point, although shorthand notes of proceedings before the grand jury have been held privileged, on the ground that such proceedings are not *publici juris*. *State v. Rhoads*, 81 Oh. St. 397, 91 N. E. 186. It is true that the privilege protecting communications between attorney and client covers material collected for submission to a solicitor or information obtained by the solicitor for the purposes of litigation. *Southwark & Vauxhall Water Co. v. Quick*, 3 Q. B. D. 315; *Lyell v. Kennedy*, 27 Ch. D. 1. But proceedings in open court are in no way privileged or confidential. *In re Worswick*, *supra*; *People v. Petersen*, 60 N. Y. App. Div. 118. And since the words themselves are not privileged, the principal case properly orders discovery of a physical reproduction of them, which involved no peculiar skill or knowledge. For the law cannot deal justly between the parties if either has an unfair advantage, and so long as no hard and fast rule of privilege stands in the way, the court should require any disclosures necessary to aid in reaching an equitable result.

DOMICILE — HUSBAND AND WIFE: POSSIBILITY OF SEPARATE DOMICILE. — A wife lived in New York for twenty-six years apart from her husband, who lived outside the state. She had made no attempt to obtain a decree of separation, nor were grounds therefor shown. *Held*, that she had acquired a domicile in New York. *In re Crosby's Estate*, 85 Misc. (N. Y.) 679 (Surr. Ct., N. Y. County).